

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

**IN THE MATTER OF PARTITIONING THE
PROPERTY OF SKYE DONALD DAYTON
THOMPSON AND ROMY LYNN THOMPSON**

SKYE DONALD DAYTON THOMPSON

PLAINTIFF

V.

CIVIL ACTION NO. 3:21cv121-DBM-JMV

ROMY LYNN THOMPSON

DEFENDANT/THIRD PARTY PLAINTIFF

V.

**SHELDON THOMPSON AND
MARIE-MERCED THOMPSON**

THIRD PARTY DEFENDANTS

**STIPULATION AND ORDER PURSUANT TO
FEDERAL RULES OF EVIDENCE 502(d) AND 502(e)**

IT IS HEREBY STIPULATED AND AGREED pursuant to Fed. R. Evid. 502(e), by and between Skye Donald Dayton Thompson, Romy Lynn Thompson, Sheldon Thompson and Marie-Merced Thompson, by and through their undersigned counsel, that:

In accordance with Fed. R. Evid. 502(d), except where a party intentionally waives attorney-client privilege or work product protection by disclosing such information to an adverse party as provided in Fed. R. Evid. 502(a), the disclosure of attorney-client privileged or work product protected information does not constitute a waiver in this proceeding, or in any other federal or state proceeding. Further, the provisions of Fed. R. Evid. 502(b)(2) and (3) are inapplicable to the production of such unintentionally disclosed ESI.

Where a party produces attorney-client privileged or work product protected information to an adverse party without intending to waive the privilege or protection, the producing party will notify the adversary that it did not intend a waiver by its disclosure, and the receiving party will promptly return the electronically stored information and/or paper document(s), and any copies thereof.

Any dispute regarding whether the disclosing party has asserted properly the attorney-client privilege or work product protection will be brought promptly to the Court, if the parties are not themselves able to resolve it.

IT IS SO STIPULATED, through Counsel of Record.

Dated: 8/19/2021

/s/Thomas J. Suszek
THOMAS J. SUSZEK, MSB #8079
*Counsel for Plaintiff and
Third Party Defendants*

Dated: 8/19/2021

/s/Elizabeth Penn
ELIZABETH PENN, MSB #102116
*Counsel for Defendant/Third Party
Plaintiff*

SO ORDERED, this, the 23rd day of August, 2021.

/s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE